

Resolution No.:	16-621
Introduced:	June 17, 2008
Adopted:	June 17, 2008

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President at the request of the County Executive

SUBJECT: Amendment to Resolution 16-522, Optional Procedure for Condemnation of Land, Advance Taking, Rockville Pike at Twinbrook Parkway Intersection Improvement Project, Project #509995

Background

- I. The Council has been requested to authorize the condemnation of the portion of land necessary for road improvements on Rockville Pike at Twinbrook Parkway in Rockville in accordance with §49-50 of the Montgomery County Code (2004), as amended.
1. The Rockville Pike at Twinbrook Parkway Intersection Improvement project is part of the North Bethesda Conference Center Intersection Improvement Project. The purpose of the project is to offset the increase in traffic volume from the Conference Center.
 2. The Council approved Resolution 16-522 on April 29, 2008 authorizing the use of the optional method Advanced Taking Procedure for the condemnation for the following properties:

RIGHT OF WAY IN SQUARE FEET

ACCOUNT NUMBER	LIBER FOLIO	PROPERTY OWNERS	PERPETUAL EASEMENT	REVERTIBLE EASEMENT
04-134890	27629/118	Pike Chapman, LLC	739 sf	1,128 sf
04-142241	31731/396	Rockville Pike 1910 LLC	757 sf	967 sf

3. On June 10, the Executive notified the Council that there was a 186 square foot revertible easement from the Rockville Pike 1910 LLC property that was omitted from his initial request, so his amended request is for 1,153 sf of revertible easement from that property.

Action

The County Council of Montgomery County amends Resolution 16-522 as follows:

- I. The County Council authorizes the use of the optional method Advanced Taking Procedure for the condemnation of the following portions of land needed for the construction of Rockville Pike at Twinbrook Road Intersection Improvement Project in accordance with §49-50 Montgomery County Code (2004), as amended

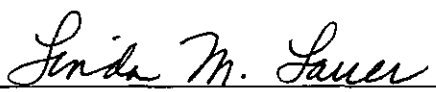
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This approval is effective upon the following conditions:

1. Montgomery County guarantees the payment of the condemnation award as may be subsequently awarded by a jury.
 2. John J. Hentschel, Maryland Certified General Appraiser, is hereby appointed to appraise the fair market value of the property.
- II. Montgomery County may take immediate possession of the property described above, upon payment into Court of the fair market value of the property as determined by the County's appraiser. The County reserves the right to abandon this proceeding at any time prior to such payment into Court.
- III. The County Attorney is hereby directed to take all necessary steps to acquire the properties.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council